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Human resources management

Activities of the Ethics Office

Report of the Secretary-General

Summary

The present report responds to General Assembly resolution 60/254, entitled "Review of the efficiency of the administrative and financial functioning of the United Nations", in which the Assembly, having welcomed the establishment of the Ethics Office and endorsed its main responsibilities, requested annual reporting on the activities of the Office and the implementation of ethics policies, under the agenda item relating to human resources management.

The report provides a summary of the activities of the Ethics Office and the implementation of policies relating to ethics and integrity for the period from 1 August 2007 to 31 July 2008.

* A/63/150 and Corr.1.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 60/254, paragraph 16 (i), in which the Assembly requested annual reporting on the activities of the Ethics Office and the implementation of ethics policies, for the consideration and decision of the General Assembly, as appropriate, under the agenda item relating to human resources management.

2. The report also includes coverage of the work of the United Nations Ethics Committee, pursuant to Secretary-General's bulletin ST/SGB/2007/11, entitled "United Nations system-wide application of ethics: separately administered organs and programmes".

3. Furthermore, the report reviews ethics-related activities undertaken by various departments, offices and entities within the Secretariat, as requested by the Advisory Committee on Administrative and Budgetary Questions (see A/60/7/Add.13 and Corr.1-2 and A/62/7/Add.14).

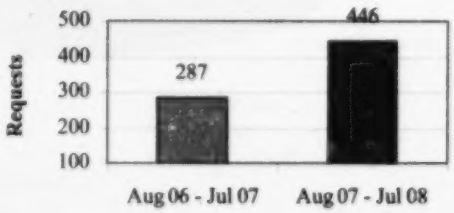
II. Background and general information

4. The establishment of the independent Ethics Office in the United Nations Secretariat was approved by the General Assembly at the 2005 World Summit (resolution 60/1, paragraph 161 (d)), in the context of the overall Secretariat and management reform initiatives. The Office commenced its operations on 3 January 2006.

5. The objective of the Office, as set forth in Secretary-General's bulletin ST/SGB/2005/22, is to assist in ensuring that all staff members observe and perform their functions consistent with the highest standards of integrity, as envisaged in the Charter of the United Nations. The Office reports directly to the Secretary-General and does not replace any existing mechanism available to staff for reporting misconduct or resolving grievances.

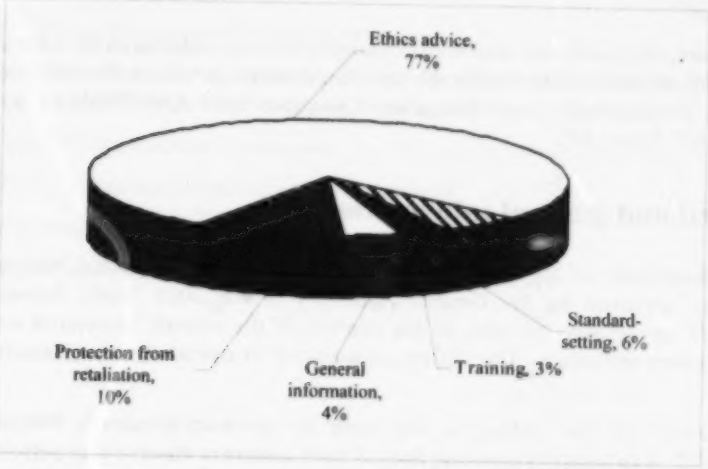
6. The reporting period from 1 August 2007 to 31 July 2008 marks the second full operation cycle of the Ethics Office. During that period, the Office received a total of 446 requests for its services, covering a broad range of ethics-related concerns, from outside activities, post-employment restrictions, gift acceptance, policy advice and standard-setting support to financial disclosure and personal assets and investments. Figure I presents a comparison of the number of requests for the two reporting cycles.

Figure I
Number of requests by cycle
(August 2006-July 2008)



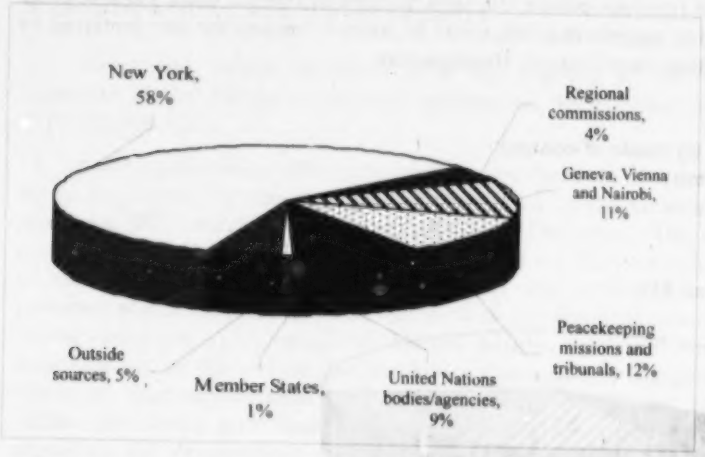
7. With regard to the nature of requests, the volume of requests for advice is noticeable, accounting for 77 per cent of the total volume in the period under review, as compared to 57 per cent in the previous period. Figure II presents the breakdown of requests by category: requests for standard-setting and policy support make up 6 per cent, training 3 per cent, general information 4 per cent and protection from retaliation 10 per cent.

Figure II
Request volume, by category
(1 August 2007-31 July 2008)



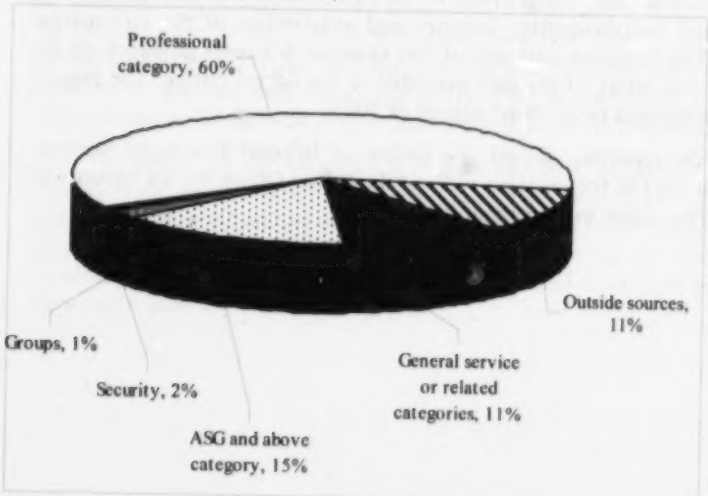
8. Requests for the Ethics Office's services came from diverse geographical and organizational sources, as illustrated in figure III. As compared with requests in the previous reporting period, service demand from staff in peacekeeping missions and tribunals increased from 9 per cent to 12 per cent. The majority of requests for services of the Ethics Office came from New York-based staff (58 per cent).

Figure III
Request volume, by source
(1 August 2007-31 July 2008)



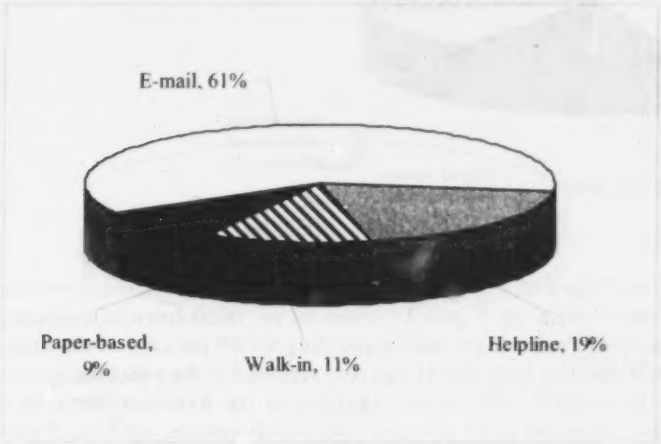
9. The services of the Ethics Office were requested by staff and management at various levels across the Secretariat. Figure IV presents the breakdown of requests by grade, with demand from Professional staff accounting for 60 per cent of the total volume, an increase of 9 per cent from the 51 per cent reported in the previous cycle. It is noteworthy that the demand from senior managers at the Assistant Secretary-General level and above increased to 15 per cent of the total volume, up from 9 per cent during the previous period. This increase may be attributed to enhanced awareness on the part of senior managers of issues relating to ethics and integrity in the discharge of their duties and the management of their offices, as well as the value that they found in consulting with the Ethics Office when such a need arose.

Figure IV
Request volume, by grade
(1 August 2007-31 July 2008)



10. Regarding the mode of contact with the Ethics Office, 60 per cent of the requests were received via e-mail, 19 per cent via the helpline, 12 per cent through walk-in visits and 9 per cent through paper-based correspondence, as illustrated in figure V. As in the previous period, the large volume of contact made via electronic correspondence may suggest that this mode of contact remains the one preferred by staff, especially those based outside Headquarters.

Figure V
Request volume, by mode of contact
(1 August 2007-31 July 2008)



11. Risk assessment and security of information are important areas in ensuring the confidential nature of the work of the Ethics Office and the information it handles.

12. The Ethics Office requested the ICT Quality Assurance and Risk Management Section of the Information Technology Services Division, Department of Management, to perform a comprehensive risk assessment of the Ethics Office information systems and data. The purpose of the information risk assessment is to ensure the continued confidentiality, integrity and availability of the information systems and data. The expected outcome of this exercise is expert guidance on the continued security and safety of the data available to the Ethics Office. The project is expected to be completed in the third quarter of 2008.

13. Also during the reporting period, the Office of Internal Oversight Services conducted an assessment of the business risks of the Ethics Office for the purpose of developing an enterprise risk management framework.

III. Activities of the Ethics Office and implementation of ethics policies

A. Standard-setting and policy support

14. Developing ethical standards is a key function of the Ethics Office, as stipulated in the Secretary-General's bulletin on the establishment of the Office (ST/SGB/2005/22).

15. Notably, the Ethics Office initiated the development of a system-wide code of ethics for United Nations personnel, as mandated by the General Assembly in its resolution 60/1, entitled "2005 World Summit Outcome". The code of ethics is expected to be a values-based document that sets out the core values and principles of ethics and integrity to guide the conduct and behaviour of United Nations personnel. Once adopted, the code will serve as the principal document outlining the ethical standards to be upheld by United Nations personnel. However, with the establishment of the United Nations Ethics Committee in January 2008 under the terms of Secretary-General's bulletin ST/SGB/2007/11, the Ethics Committee further developed and finalized the draft code of ethics. Further information regarding the development of the system-wide code of ethics is discussed in section IV below.

16. The Ethics Office provided substantive support for the development of the above-mentioned Secretary-General's bulletin ST/SGB/2007/11, which extended to the employees of the United Nations funds and programmes the same ethics-related programmes and protections already available to the staff of the Secretariat. That bulletin also provided a framework within which the different United Nations entities can work together to ensure a coherent approach to ethics and integrity and to harmonize their policies and standards in this area.

17. In furtherance of the goals of financial disclosure, which is a core component of effective governance, the Ethics Office initiated the development of the voluntary public disclosure policy, approved by the Secretary-General in December 2007 in respect of senior United Nations officials (at the Assistant Secretary-General level and above). While public disclosure is not a requirement of the financial disclosure programme, it is considered to be an important voluntary initiative that demonstrates the commitment of the United Nations to ensuring that in the discharge of their duties, United Nations staff are not influenced by private interests or any potential conflicts of interest, thus enhancing public trust in the Organization. Details of the implementation of the policy are discussed in section III.D below.

18. The policy on the acceptance of gifts has been under ongoing review with a view to updating the relevant standards, taking into account the global nature of the work of the United Nations and evolving demands and circumstances. In this regard, an interdepartmental working group has been set up to develop a Secretary-General's bulletin that would address the disclosure, storage and, as appropriate, disposal of gifts.

B. Training, education and outreach

19. The Ethics Office is mandated to develop training and education on ethics issues and, in collaboration with the Office of Human Resources Management, to ensure annual ethics training for all staff, to enhance awareness of ethics, integrity and accountability.

20. During the period under review, the Ethics Office continued to collaborate with the Office of Human Resources Management, and other offices as necessary, to maintain a programme of ethics training for staff members at all levels Secretariat-wide.

21. The general ethics training workshop "Working together: professional ethics and integrity in our daily work" continued, in both English and French, at Headquarters, at the United Nations Offices at Geneva, Vienna and Nairobi and at the Economic Commission for Africa, the Economic and Social Commission for Asia and the Pacific (ESCAP) and the Economic and Social Commission for Western Asia. Since the initial launch in 2006, almost 4,000 staff members Secretariat-wide have participated in workshops, of whom 2,023 participated during the period from 1 August 2007 to 31 July 2008.

22. Budgetary provision and plans are in place for a schedule of over 30 workshops at Headquarters and offices away from Headquarters up to the end of 2008; this includes major roll-outs at the Economic and Social Commission for Latin America and the Caribbean, for which Spanish-language ethics training capacity is being developed.

23. Feedback on the ethics training workshop has been positive, reaffirming its relevance and timeliness, and the understanding of the participants of their own obligations as international civil servants to contribute to a culture of ethics and integrity in the Organization. Participants at workshops away from Headquarters indicated a need for local ethics focal points, more outreach activities and customized ethics training by the Ethics Office and the Office of Human Resources Management.

24. Since its launch in 2005, the mandatory online learning programme Integrity Awareness Initiative (see ST/SGB/2005/17) has been completed by 11,958 staff members at all levels, of whom 2,247 completed the programme during the period under review. The content of the programme was reviewed and updated by the Ethics Office, the Office of Human Resources Management and the United Nations Office on Drugs and Crime in the first half of 2008. It continues to serve as an effective, user-friendly model for e-learning ethics programmes for a number of United Nations agencies.

25. In addition to general ethics training, specialized and/or customized ethics training was also provided. The workshop entitled "Ethics and integrity in procurement" was initially developed by the Procurement Service, was reviewed by the Ethics Office, the Office of Human Resources Management and the Procurement Division, Department of Management, and was piloted at the International Tribunal for the Former Yugoslavia and the United Nations Organization Mission in the Democratic Republic of the Congo. In response to growing demand for customized training for staff at all levels who participate in the procurement process, the workshop was launched Secretariat-wide in the first quarter of 2008. By July 2008,

almost 400 staff members at Headquarters had participated in the training. Special sessions were held during the pilot phase at a number of duty stations for staff from field and peacekeeping missions, such as those from missions in Cyprus, Georgia, Iraq, Lebanon, Liberia, Sierra Leone and the Sudan.

26. Ethics training has been mainstreamed into the curriculum of regular training offered at the Secretariat and has become an integral part of many established staff development activities, such as the orientation programme for new staff members, the junior Professional Officer orientation programme, the human resources management, supervisory skills and General Service development II programmes and the Senior Leadership Induction Programme of the Department of Peacekeeping Operations.

27. Challenges lie ahead in maintaining commitment to ethics training by constantly updating and refining its scope and range and the content of the various ethics modules contained in various staff development programmes. Further outreach activities could help staff understand the precise areas and limits of jurisdiction of the Ethics Office and those other offices, such as the Office of the Ombudsman and the Office of Internal Oversight Services.

C. Advice and guidance

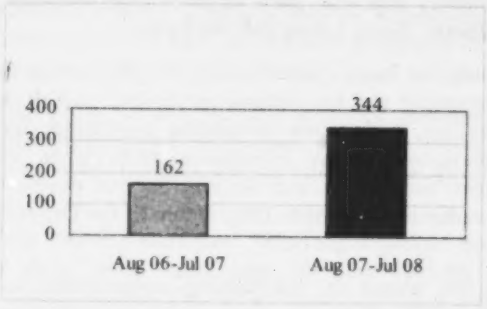
28. The Ethics Office plays an important role in providing confidential advice and guidance to individual staff members, staff groups, departments and offices, as appropriate and required.

29. Staff members may contact the Ethics Office to discuss ethics-related issues that involve either actual, apparent or potential conflicts of interest, such as outside activities, post-employment restrictions, gift acceptance and a wide range of other concerns, as well as to obtain clarification on relevant rules, regulations and policies. On the basis of the facts presented in a particular case, the Office provides advice and guidance on the appropriate course of action to ensure that the issue is resolved in the best interests of the United Nations.

30. The Ethics Office does not replace existing mechanisms for reporting misconduct or the resolution of grievances. Rather, it serves as an office from which staff members and management can seek, in confidence, advice regarding any potential ethical and/or conflict-of-interest concerns.

31. During the period from 1 August 2007 to 31 July 2008, the Ethics Office received 344 requests for advice on a wide range of ethics-related concerns; as illustrated in figure VI, this represents a more than 100 per cent increase from the corresponding number for the previous reporting cycle (162 requests). Requests received during the period under review can be grouped under the headings gifts and hospitality (21 per cent); outside activities (16 per cent); employment-related concerns (39 per cent); conflicts of interest, including personal investments and assets (21 per cent); and post-employment restrictions (3 per cent).

Figure VI
Requests for ethics and advice by cycle
(August 2006-July 2008)



32. This significant increase can be attributed to a number of reasons, including: (a) ongoing ethics training and awareness-raising initiatives; (b) the fact that the Office was in its third year of operation, allowing it to advocate ethical standards, raise visibility and establish procedures, thus enhancing its ability to respond to ethics-related issues; and (c) the recognition by both management and staff of the value added by seeking advice and guidance. This is further supported by the observed complexity of requests received, demonstrating that there is a growing demand for the Ethics Office's functions and services from staff at all levels.

33. It is important to note that, often, employment-related concerns are raised in association with an ethical problem, which explains why the volume of requests in this category is significant. On the basis of the number and nature of the concerns brought forward, it is the observation of the Ethics Office that staff members are not always aware of the right channels for addressing different types of concerns. The Ethics Office has played an important role in advising staff members and directing them to the appropriate authority.

34. In addition to the general advice and guidance offered to the global Secretariat, the Ethics Office responds to enquiries from other United Nations bodies and agencies on information-sharing, best practices, policies and other guidance.

D. Financial disclosure programme

35. The Ethics Office is mandated to administer the financial disclosure programme as a means of maintaining and enhancing public trust in the integrity of the Organization.

36. By the terms of Secretary-General's bulletin ST/SGB/2006/6, on financial disclosure and declaration of interest statements, all staff members at the D-1 or L-6 level and above; all staff (regardless of grade) whose principal duties include procurement or investment functions; all staff with access to confidential procurement or investment information; and all staff serving in the Ethics Office are required to file financial disclosure statements.

37. For the 2007 filing cycle (beginning on 7 May 2007), a total of 2,528 staff members were required to file, using the newly created online financial disclosure filing system, covering the reporting period 1 January 2006-31 December 2006.

38. A total of 92 per cent (2,329 staff members) of staff had fully complied with their filing obligation as at the programme closing date. On the basis of experience from the 2006 filing cycle, although the Ethics Office increased its follow-up efforts with staff who failed to comply with the programme requirements, 7 per cent (172 staff members) failed to submit their statements for review by the programme closing date, while the remaining 1 per cent were not required to file as a consequence of retirement or separation from service. One hundred and seventy-two cases were referred to the Office of Human Resources Management for disciplinary action. This increase in the number of staff members who failed to file may be explained by the fact that this was the first year for all staff using the new online filing system, coupled with a 48 per cent increase in the total number of participants from the previous year.

39. In identifying organizational risk for financial conflicts of interest, Pricewaterhouse Coopers identified 21 staff members (1 per cent of the total number of cases reviewed) as having a potential conflict of interest. In relation to these 21 cases, 19 staff members accepted the advice of Pricewaterhouse Coopers regarding the appropriate compliance arrangement. The cases of the two remaining staff members were referred to the Ethics Office for final resolution, at the request of the staff members concerned. The Ethics Office upheld the original determinations made by Pricewaterhouse Coopers.

40. For the 2007 filing cycle, while there was an increase in the number of staff members who failed to file, Pricewaterhouse Coopers reported a positive increase in staff acceptance and understanding of the programme. Of the 2,329 staff members who submitted a statement, 38 per cent submitted incomplete statements, down from 46 per cent in the previous year; and 5 per cent submitted a statement that required clarification, down from 11 per cent in the previous year. It remains a fundamental goal of the Ethics Office to increase staff acceptance and understanding of the programme.

41. In addition to the review process, an important and integral part of the financial disclosure programme is the verification process, which is conducted at random among staff members subject to the programme. The intent of the verification process is to validate the information disclosed in randomly selected 2007 financial disclosure statements and to ensure the completeness of the information disclosed. Four staff members who failed to comply with the verification process were referred to the Office of Human Resources Management for follow-up disciplinary action.

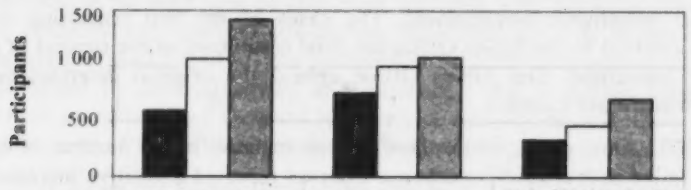
42. For the 2008 filing cycle (commencing on 1 March 2008), 3,225 staff members were enrolled as of June 2008, representing an increase of 27.5 per cent from the previous cycle.

43. Figure VII presents a comparison of the participation levels in the three previous filing cycles of the financial disclosure programme, in addition to a breakdown of participants in those filing cycles by organizational grouping: the Secretariat; peacekeeping operations; and United Nations bodies/agencies and others. The most notable increases were within peacekeeping operations (34 per cent) and United Nations bodies/agencies (52 per cent), of which 162 of the new filers were from the Office of the United Nations High Commissioner for Refugees (UNHCR). The overall consistent increase also likely reflects an increased awareness on the part of heads of departments regarding the application of the

financial disclosure programme in relation to their staff's official duties and responsibilities, particularly as they relate to procurement, investment of funds or access to confidential procurement or investment information.

44. Overall, the financial disclosure programme is administered by the Ethics Office to staff throughout the United Nations family on a cost-sharing basis, with the United Nations Institute for Training and Research and United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) joining in the latter half of 2007. The Ethics Office continues to liaise with those United Nations bodies and agencies that have not yet fully joined the programme or that are in the process of establishing their own financial disclosure programme in order to encourage standard-setting and share best practices.

Figure VII
Financial disclosure programme participation, by entity and cycle



	Peacekeeping operations	Secretariat[a]	United Nations bodies/ agencies and other
■ 2005	603	762	339
□ 2006	1062	997	469
▣ 2007	1424	1084	717

[a] The grouping "Secretariat" refers to those departments/offices and entities that are listed in ST/SGB/1997/5 and whose budget is covered from the United Nations regular budget.

45. The most important feature of the financial disclosure programme during the period under review was the Secretary-General's introduction in December 2007 of voluntary public disclosure of financial statements by senior United Nations officials (at the Assistant Secretary-General level and above). The voluntary public disclosures of Under-Secretaries-General and Assistant Secretaries-General under the 2007 programme were posted on the Secretary-General's website.

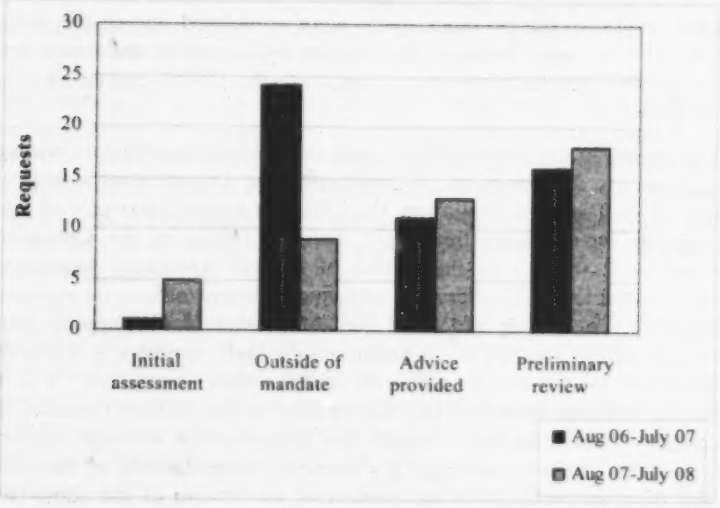
46. The Ethics Office will, in consultation with relevant departments and offices, examine possible measures to enhance the overall level of compliance with the programme.

E. Protection of staff against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations

47. The policy on protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations entered into force on 1 January 2006, with the publication of ST/SGB/2005/21. That bulletin formalizes protective measures for staff members under threat of, or experiencing, retaliation for duly reporting misconduct or for cooperating with duly authorized audits or investigations. Once a prima facie case has been determined to exist, the policy shifts the burden of proof to the Organization, requiring management to show that it would have taken the same action absent the protected activity.

48. From 1 August 2007 to 31 July 2008, the Ethics Office received 45 complaints of retaliation. As seen in figure VIII, the number of complaints warranting preliminary review by the Ethics Office increased from the level of the previous reporting cycle, while the number of complaints later found to fall outside the mandate decreased considerably. This decrease may be explained by a better understanding of the functions and activities of the Office and the effectiveness of the advice and guidance that the Office has provided to staff on ethics-related matters.

Figure VIII
Actions taken on requests for protection, by cycle
(1 August 2007-31 July 2008)



49. The early assessment of cases found that 18 complaints of all those received by the Office warranted a preliminary review. The preliminary review process involves a review of documentation submitted by the complainant and fact-finding in order to determine if there is independent and corroborated information in support of the complaint of retaliation. If the Office finds a prima facie case of retaliation, it then refers the matter to the Office of Internal Oversight Services for investigation.

During the reporting period, the Ethics Office concluded its preliminary review of seven cases and determined in each that there was no prima facie case of retaliation. The preliminary review process is still under way in relation to the remaining 11 cases.

50. Of the remaining 27 complaints, nine were determined to fall outside the scope of the mandate and 13 complainants were provided with advice and guidance on recourse to the more appropriate mechanism to address their concern. Five complaints received by the Office are in the initial assessment phase of their review.

51. As regards the issues that either fell outside the mandate of the Ethics Office or where the Office provided advice and guidance to complainants, staff were generally seeking information on how and where to report a particular wrongdoing; what their rights and obligations were with respect to reporting misconduct; and what protection measures would be available. The Office found that most often, the protected activity involved reporting abuse of authority, harassment or irregularities in the recruitment, appointment and promotion processes.

52. In the report on the previous cycle, it was indicated that the Office had found that there was a prima facie case of retaliation in two cases and that those two cases had been referred to the Office of Internal Oversight Services for investigation. During the period under review, the Office of Internal Oversight Services completed its investigation and found that the evidence did not establish retaliation within the meaning of Secretary-General's bulletin ST/SGB/2005/21. The complainants, the heads of the department or office concerned, the Under-Secretary-General for Management and the Secretary-General were informed of the outcome of the Office of Internal Oversight Services investigations. The four cases that were reported as still under review in the previous cycle were completed during the period under review. In all four cases, because the relevant organizations undertook appropriate action to address the staff members' concerns, the Office ceased its review and closed its files.

53. With regard to the Ethics Office's role in the newly established internal justice system, given its responsibility to implement the Organization's policy for the protection of staff against retaliation, the Office is a significant part of the internal justice system and interacts frequently with the Office of the Ombudsman, the Administrative Law Unit of the Office of Human Resources Management, the Office of Internal Oversight Services and other relevant offices on matters brought to its attention. The Office has noted that the seemingly overlapping mandates of these various offices has led to confusion among staff members in terms of finding the appropriate mechanism or office to address their grievances. It is therefore important to continue strengthening the capacity of the different entities that carry out inquiries or investigations within the Organization through comprehensive training modules aimed at developing a common understanding of the role of each entity and their interrelation in the context of the reform of the administration of justice and of the proposed new accountability architecture.

IV. United Nations Ethics Committee

54. The United Nations Ethics Committee was established by Secretary-General's bulletin ST/SGB/2007/11, which came into force on 1 December 2007. The main responsibilities of the Committee are to establish a unified set of ethical standards and policies of the United Nations Secretariat and of the separately administered organs and programmes, and to consult on certain important and particularly complex cases and issues having United Nations-wide implications raised by any Ethics Office or the Chairperson of the Ethics Committee.

55. The United Nations Ethics Committee consists of the heads of the Ethics Offices of the separately administered organs and programmes of the United Nations and the Ethics Office of the United Nations Secretariat. As at 31 July 2008, the Committee's membership comprised the United Nations Secretariat Ethics Office, the United Nations Development Programme, the United Nations Children's Fund, the United Nations Population Fund, the United Nations Office for Project Services, the World Food Programme and UNRWA. The United Nations Institute for Disarmament Research, the United Nations Research Institute for Social Development and the United Nations Interregional Crime and Justice Research Institute officially requested the United Nations Secretariat Ethics Office to deliver ethics functions in regard to their staff. It is to be noted that the non-appointment or non-designation of an Ethics Officer in separately administered organs and programmes, or the absence of a policy on protection from retaliation in separately administered organ or programme, has a direct impact upon the duties and responsibilities of the United Nations Secretariat Ethics Office, as it must assume the ethics functions of those entities. During the period from January to July 2008, the United Nations Ethics Committee met in five formal sessions and two informal sessions.

56. Under section 5 of Secretary-General's bulletin ST/SGB/2007/11, the Committee is chaired by the head of the Ethics Office of the United Nations Secretariat, who provides functional leadership to all Ethics Officers of the separately administered organs and programmes in order to promote the building and development of capacity, including adequate levels of professionally qualified resources, and to ensure adherence to consistent methodology in the delivery of ethics-related services.

57. One of the Committee's key priorities for 2008 was the development of a system-wide code of ethics, as requested by the General Assembly in paragraph 161 (d) of its resolution 60/1, and paragraph 16 (a) of its resolution 60/254. The draft system-wide code of ethics has been formulated as a values-based framework built upon the purposes, values and principles espoused in the Charter of the United Nations, the applicable staff regulations and rules and the code of conduct for the international civil service. Following deliberations by the Committee, the draft code was finalized and submitted to the Secretary-General in order to initiate a process of broad consultation with management, staff representatives and the International Civil Service Commission.

58. The United Nations Ethics Committee has exchanged information on policy development and implementation with a view to harmonizing ethical standards and fostering a coherent approach in applying such standards and policies in the United

Nations. The Committee also focuses on policy coordination in the areas of ethics training, financial disclosure and protection against retaliation.

59. The Chairperson of the Ethics Committee has consulted the other members of the Committee on cases brought by individual staff members of separately administered organs and programmes. Those staff members have requested a review of their cases by the Chairperson of the Committee under the terms of section 4.3 of Secretary-General's bulletin ST/SGB/2007/11, regarding allegations of retaliation for reporting misconduct or cooperating with duly authorized audits or investigations. During the period from January to July 2008, two cases were referred to the Committee, both from the same programme. In the first case, following consultation with the other members of the Committee, the Chairperson proceeded to undertake an independent review and concluded that retaliation had been committed against the complainant. The Chairperson recommended remedial actions to be taken by the programme concerned, and the recommendations were accepted for implementation. In the second case, on the basis of the information made available by the complainant, the Chairperson concurred with the conclusion of the Ethics Office of the programme concerned and consequently decided not to proceed with any further review.

60. As mandated in Secretary-General's bulletin ST/SGB/2007/11, the Ethics Committee will review the annual reports of the Ethics Offices of the United Nations Secretariat and the separately administered organs and programmes and make recommendations for the future. During the period under review, the Committee considered the report of the Ethics Office of the United Nations Secretariat. The consideration of the annual reports of the separately administered organs and programmes has been planned for early 2009.

61. It has been noted that, currently, only the United Nations Secretariat and the separately administered organs and programmes are members of the United Nations Ethics Committee. In order for standards of ethics and integrity to be applied coherently system-wide, it is important to engage United Nations specialized agencies and other interested entities in the process on a broad basis and through an open mechanism. Various options are to be explored for United Nations agencies and other entities to participate in these coordinating mechanisms to enhance system-wide synergy and coherence on issues relating to ethics and integrity. One such option could be for United Nations agencies and other entities to participate in the United Nations Ethics Committee on a voluntary or optional basis through the establishment of a memorandum of understanding or similar arrangements.

V. Ethics-related activities within the Secretariat

62. In paragraph 25 of its report to the General Assembly entitled "2005 World Summit Outcome" (A/60/7/Add.13 and Corr.1-2), the Advisory Committee on Administrative and Budgetary Questions noted that

> many ethics-related activities are already carried out in different parts of the Secretariat, including the Executive Office of the Secretary-General, the Office of Human Resources Management, the Office of Internal Oversight Services, the Office of Legal Affairs and the Department of Peacekeeping Operations.

63. In this regard, the Advisory Committee requested the Secretary-General to describe, in a

> comprehensive follow-up report ... the various ethics activities carried out by different organizational entities within the Secretariat, laying out a plan for coordination among them and exploring the possibility for redeployment of resources to the ethics office if needed. The Committee considers this essential to the planning of a rational structure for the ethics office.

64. In response to that request, in 2007 the Secretary-General stated in his report to the General Assembly on the activities of the Ethics Office (A/62/285) that the Ethics Office had carried out a preliminary survey of ethics-related activities within the Secretariat and that a compilation was being developed. In its report A/62/7/Add.14, the Advisory Committee noted the preliminary survey being carried out by the Ethics Office and requested the Secretary-General to report on the compilation of such activities to the General Assembly at its sixty-third session. The present document provides, below, comprehensive information on the compilation of ethics-related activities in the Secretariat and recommendations aimed at strengthening the coordination of such activities.

65. The Ethics Office carried out a survey of ethics-related activities undertaken by various departments and offices and other organizational entities within the Secretariat in the second half of 2007. Responses were received from 14 departments and offices and other entities. In addition, information was obtained from sources such as official United Nations documents, internal Secretariat documents and the United Nations Intranet sites. For the purpose of the compilation, ethics-related activities are defined as those additional departmental or office-specific activities or documents, such as supplemental codes, rules, guidelines, information or training, that have been developed in order to better inform staff members on how to discharge their duties while ensuring that they, their family members and associated third parties do not benefit or appear to benefit from the decisions they make, the influence they may have or the information to which they may be privy.

66. Information obtained was compiled into five broad categories of ethics-related activities: (a) issuances of departmental or office-specific codes on ethics-related matters such as ethics codes, codes of conduct with ethics components or conflicts of interest; (b) departmental or office-specific rules or guidelines, other than those that may be contained in the supplemental codes or rules referred to in (a) above, that deal with ethics-related activities such as acceptance of gifts, outside activities, post-employment restrictions or protection from retaliation for reporting misconduct or cooperating with a duly authorized investigation; (c) departmental or office-specific ethics training programmes, or training programmes with ethics components; (d) publications, manuals and documents on ethics-related issues that have been produced by departments, offices and entities; and (e) department and office focal points from whom staff can seek advice and guidance on ethics-related matters in general, or arising as a consequence of matters referred to above.

67. The findings emerging from the review of the information available show that existing overarching standards, in particular the values and principles of the United Nations Charter, applicable staff regulations and rules, including those relating to the status, basic rights and duties of United Nations staff members (see ST/SGB/2002/13), and the Standards of Conduct of the International Civil Service

remain the key source of authority and guidance for staff on ethics and integrity. At the same time, and in response to specific professional requirements and/or demands from field offices, a number of departments and offices and entities have issued supplementary codes, rules or guidelines on ethics-related matters that: (a) are specifically relevant to their functions and responsibilities, or those of an occupational or technical group performing particular functions, and (b) address fundamental professional principles.

68. Eleven departments/offices and entities have developed or, jointly with other United Nations entities performing similar functions, adopted comprehensive codes of conduct or codes of ethics, declarations of principles or similar standards on ethics-related matters that are specific to certain professions, responsibilities and duties. They take the form of an ethics pledge, a statement of principles, a declaration, an oath of office or a code of conduct. Examples include the 1999 code of conduct for human rights officers; the declaration of principles for staff of the Office of the Ombudsman; the code of ethics for the United Nations Safety and Security Service; the code of conduct for evaluation in the United Nations system (as adopted by the United Nations Development Group); the 2004 Code of Conduct for the staff of UNHCR; the statement of independence for personnel of the Internal Audit Division; and the declaration of principles for personnel of the Investigations Division of the Office of Internal Oversight Services.

69. In addition to supplementary codes of conduct, specific supplementary rules, regulations or guidelines have been developed by eight departments and offices or entities to provide guidance to staff members on ethics and integrity in their performance of official duties and functions. They are tailored to the particular nature of work and needs of departments and offices and deal with specific matters such as gifts and hospitality, confidentiality, outside activities and sexual exploitation and abuse. These include, for example, the 2004 guidelines and procedures on offers of gifts and hospitality (Department of Management), the 2006 online forms for registering gifts and benefits and requests for approval of an outside activity (United Nations Office at Vienna and United Nations Office on Drugs and Crime) and ethical guidelines for evaluation by the United Nations evaluation group.

70. It should be noted that, in addition to codes, regulations and guidelines issued by the United Nations, some offices and entities find it essential for staff in certain professional groups to abide by professional codes of ethics adopted by professional associations, such as the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors and the 1996 Code of Ethics for Archivists issued by the International Council on Archives, of which the United Nations is a member.

71. Despite the diverse forms that these supplementary codes, rules and guidelines on ethics-related matters have taken for different departments, offices and entities, they all serve one common goal: to ensure that staff abide by shared professional values and principles governing their functions and duties.

72. In the area of ethics training or training with an ethics component, most of the responding departments and offices reported that their staff had participated in the general training provided, in addition to the mandatory training provided to the global Secretariat jointly by the Ethics Office and the Office of Human Resources Management, as reported in section III.B above.

73. Eight departments and offices and entities have offered departmental or office-specific ethics training to their staff members using various forms, such as quizzes, courses, workshops and briefings, which discussed the linkages with and implications for ethics and integrity of such areas as fraud, human rights, harassment, archiving and procurement. Examples of these training activities include the United Nations Office on Drugs and Crime field representative seminar, comprising an ethics information session and an integrity quiz; training in the Code of Ethics for Archivists, specific training activities offered in the Office of Human Resources Management; training on ethics, integrity and harassment in peacekeeping missions; and induction courses and training courses on human rights monitoring. As discussed in section III.B above, customized or specialized training on fraud prevention and ethics in the procurement process has been provided jointly by the Ethics Office, the Office of Human Resources Management and the Procurement Division, Department of Management, to staff participating in the procurement process both at Headquarters and in the field, including peacekeeping missions, since early 2008.

74. In addition to general ethics documents meant for the use of the global Secretariat, ethics-related publications, documents or manuals tailored to specific departmental concerns were issued by several departments and offices. Examples of these include the Training Manual on Human Rights Monitoring (including CD-ROM resource package) issued by OHCHR, and training materials issued by the Department of Peacekeeping Operations.

75. Departmental focal points have been designated in seven departments and offices to provide guidance and advice on ethics-related matters to staff within the departments and offices. This mechanism provides an easy source of reference for staff of a particular department or office. It does not replace the existing functions of providing ethics advice and guidance being performed by the Ethics Office, should the staff member concerned wish to seek the advice and guidance of the Office. Departmental focal points are found in the United Nations Office at Vienna, the United Nations Office on Drugs and Crime, the Department of Management, the Office of Internal Oversight Services, the Office for Disarmament Affairs, the Office of Legal Affairs and ESCAP. In particular, the Office of Internal Oversight Services had a focal point in 2005-2006 that regularly contributed to ethics-related topics covered in its quarterly newsletter and staff news publication.

76. In reviewing information received on ethics-related activities undertaken within the Secretariat, the following observations are made. Firstly, the overarching values and principles applicable to the global Secretariat remain the most authoritative source of guidance to staff on ethics and integrity. Secondly, departmental specific regulations, guidelines, ethics training or training programmes with an ethics component that have been developed or pursued by various departments or offices respond to specific occupational requirements or the growing demands of field offices or address specific occupational issues. Thirdly, the issuance of ethics-related publications specific to a department or office and the designation of departmental focal points do not replace the existing mechanisms or functions being performed by the Ethics Office. In practice, they serve as supplemental sources of guidance and easy reference for staff in the performance of their duties.

77. With a view to improving coordination among Secretariat departments, offices and entities in respect of ethics-related services, it is important that the Ethics Office be consulted on the development and updating of the contents of such activities to ensure a coherent approach to addressing ethics and integrity issues within the Organization. The customized training on ethics in procurement activities developed by the Ethics Office, the Office of Human Resources Management and the Procurement Division is a good example. The Ethics Office holds the view that supplemental department-specific regulations, training and publications have brought added value to general ethics-related activities provided by the Ethics Office itself, or by the Ethics Office in collaboration with the Office of Human Resources Management in addressing specific needs. Therefore, more time is needed in order to assess the impact of these department-specific activities and explore the possibility of redeploying resources to the Ethics Office for stronger programme impact within the Secretariat, especially as the work of the Ethics Office continues to evolve over time.

VI. Observations

78. The reporting period from 1 August 2007 to 31 July 2008 marked the second full operating cycle of the Ethics Office since its establishment on 3 January 2006. The activities undertaken by the Office, the increasing demands for its service, the growing complexity of the requests and the broad diversity of the sources of the requests have reaffirmed its relevance and contribution to building a culture of ethics and integrity in the United Nations.

79. It is important to emphasize the advisory and preventive nature of the functions of the Ethics Office, through which staff and management are provided with advice on the best course of action to take in order to prevent, avoid, identify and manage conflicts of interest should they arise in the performance of their functions and duties. There remains a certain degree of confusion among the staff at large as to the distinction between the functions of various mechanisms, such as the Office of the Ombudsman, the Office of Human Resources Management and the Office of Internal Oversight Services. Advocacy and outreach activities need to continue to clarify the roles and functions of these bodies so as to enhance staff understanding of the mechanisms available to them in addressing the different types of concerns.

80. It is crucial to continue advocating and promoting adherence to existing standards of ethics and integrity among United Nations personnel for a culture of ethics to be fostered in the Organization. This requires that staff members fully understand and comply with their obligations as United Nations personnel. While regular ethics training and the Intranet provide quick access to relevant information, the United Nations Staff Regulations and Rules and other applicable standards are complex in nature and are often found in a range of different administrative issuances, which may have an impact upon efforts to achieve easy access and full understanding by staff of policies and standards. Effective internal communications are of equal importance. As ethics-related activities evolve, success increasingly depends on keeping staff informed and engaged, and it requires an understanding of how to reach out effectively. In this regard, it is necessary to develop an effective communication strategy and strengthen outreach activities of the Ethics Office, especially in respect of offices away from Headquarters and field duty stations.

81. In providing advice, the experience of the Ethics Office shows that staff regulations and rules regarding the receiving and reporting of gifts, benefits, honours and favours ("gifts" for short) to be particularly complex. They generally prohibit the receipt of gifts by staff in their official capacity, except in limited circumstances as prescribed in applicable regulations. The review and updating of standards regarding gifts, benefits, honours and favours are necessary to ensure that ethical values are upheld, that staff understand and adhere to such standards and that decisions made are not influenced by any consideration other than the best interests of the United Nations.

82. A challenge for the Ethics Office remains the need to increase staff members' awareness of and compliance with the financial disclosure programme and to ensure that conflicts of interest are prevented and managed at the outset, without any subsequent need for intervention. The financial disclosure programme represents a significant contribution to fostering the ethical mindset and enhancing accountability efforts of the Organization, and it helps to increase public trust in the Organization. Consequently, it is imperative to maintain and build upon the current momentum across the United Nations system with respect to the implementation of financial disclosure programmes and to ensure a coherent approach to this exercise.

83. The promulgation of Secretary-General's bulletin ST/SGB/2007/11 constitutes a step forward in clarifying the jurisdiction of the Ethics Office of the United Nations Secretariat and ensuring a coherent application of ethical standards in the United Nations, through policy harmonization and concerted action. While the United Nations Ethics Committee has been in full operation and able to share functional expertise in certain areas, such as ethics training, financial disclosure and protection against retaliation, and, most notably, has finalized its deliberation on the draft system-wide code of ethics, it is desirable to have broader participation from organs and programmes concerned in order to expand its reach and impact. Similarly, the assumption by the Director of the Ethics Office of the role of Chairperson of the United Nations Ethics Committee, the designation of the appeal function to the Committee Chairperson under section 4.3 of ST/SGB/2007/11 and the non-appointment or non-designation of an Ethics Officer in a separately administered organ or programme have a direct impact on the duties and responsibilities of the Ethics Office of the United Nations Secretariat. The increase in the work volume of the Ethics Office in relation to its responsibilities under the United Nations Ethics Committee has been notably significant.

VII. Conclusion and recommendations

84. Having completed its second full operation cycle since its establishment in January 2006, the Ethics Office has continued to assert its relevance and its role in fostering a culture of ethics, integrity and accountability within the United Nations. For this role to be effectively enhanced, the Ethics Office must continue to be a leading player in advocating adherence to shared organizational values and principles, as espoused in the Charter of the United Nations and applicable regulations and rules. Preserving the independence and impartiality of the Ethics Office remains a cornerstone for its effective functioning and credibility, and for meeting the expectations of the Organization and staff alike.

85. The establishment of the United Nations Ethics Committee has contributed to ensuring a coherent development and application of ethics standards and policies within the United Nations. Currently, membership of the Committee is open to the Ethics Offices of the United Nations Secretariat and the separately administered organs and programmes. **The General Assembly may wish to encourage United Nations specialized agencies and other entities to participate actively in the Ethics Committee on a broad basis and through an open mechanism, such as a memorandum of understanding or other appropriate arrangements.**